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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/763,034

01/22/2004

Markus Steckhan

IF-F25

8268

7590

09/22/2006

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EXAMINER

PAHNG, JASON Y

ART UNIT

PAPER NUMBER

3725

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/763,034	Applicant(s) STECKHAN, MARKUS	
	Examiner Jason Y. Pahng	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 12-16 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 3-11 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 17, 2006 has been entered.

Claim Objections

The amendment overcomes the claim objections made in the last Office action.

Claim Rejections - 35 USC § 112

The amendment overcomes the claim rejections made in the last Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-6, are rejected under 35 U.S.C. 102(b) as being anticipated by Whitney (US 6,339,985).

With regard to claim 1, Whitney discloses a coffee grinder with substantially all of the claimed structure including:

1. a coffee bean container (100) having at least two compartments (104);
2. each compartment having an output (Figure 30);
3. a bottom-side output shaft (Figure 30) common to both compartments and connected to the outputs;
4. a grinding mill (10) disposed beneath the output shaft; and
5. a non-moving closure element (bottom of 106) for closing the output opening of the compartments (104) and leaving open the output (108) opening of at least one other compartment;
6. the non-moving closure forms with the grinding mill (10) a single non-moving unit (Figure 30) relative to the coffee bean container (100);
7. the coffee bean container (100) is disposed rotatably (column 11, line 45);
and
8. the closure element (bottom of 106) is separated from the output opening (108) of the coffee bean container (100) by a gap with a width less than an average diameter of a coffee bean disposed in the coffee bean container according to Figure 30.

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With regard to claim 3, Whitney discloses a closure element (76-79, Figure 25) disposed beneath a guide element (70, Figures 21 and 24). The contour of the closure element (76-79) is adapted to the underside of the guide element (70).

With regard to claim 4, Whitney discloses a closure element (76-79) connected form-fittingly with the grinding mill (10). The closure element is relative to the rotatability of the coffee bean container (100).

With regard to claim 5, Whitney discloses a closure element (76-79) comprising a radially projecting toe (Figure 25) to engage a seating (where the toes seat) of the grinding mill (10). See the passage (33, column 10, lines 45-49) of the grinding mill (10) in Figure 12.

With regard to claim 6, Whitney discloses a coffee bean container (100) comprising an encircling collar encompassing an output shaft (Figure 30). The portion of the coffee bean container (100) encircling the output shaft is the collar.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitney (US 6,339,985) in view of Schmidt (US 4,759,274).

Claims 7 and 8 call for a bayonet lock connection for the coffee bean container. In a closely related art, Schmidt discloses a coffee maker with a coffee container connected by a bayonet lock in order to connect the container with a single rotation. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Whitney with a bayonet lock connection for the coffee bean container in order to connect the container with a single rotation, as taught by Schmidt.

With regard to claims 9-11, Whitney discloses a coffee grinder to be mounted in an automatic coffee maker (Figure 1).

Response to Arguments

Applicant's arguments filed August 17, 2006 have been fully considered but they are not persuasive.

With regard to claim 1, although the same reference, Whitney, is used, a new ground of rejection is made above in order to address the amendment. Therefore, the arguments are moot.

Applicant presents no additional new arguments.

Conclusion

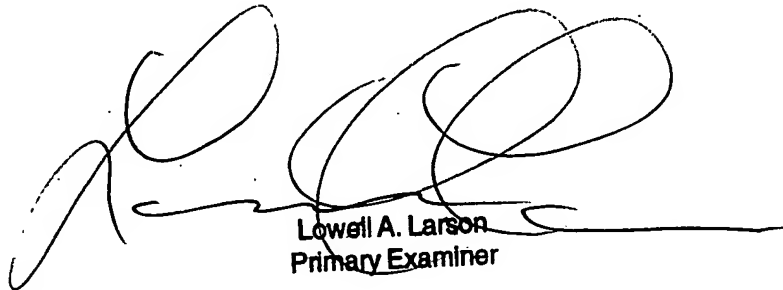
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Y. Pahng whose telephone number is 571 272 4522. The examiner can normally be reached on 9:00 AM - 7:00 PM, Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571 272 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JYP



Lowell A. Larson
Primary Examiner